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8
9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 KEVIN ROHN GILL,

12 Plaintiff,

13 vs.

14 ROMEO ARANAS, et al.,

15 Defendants.

Case No. 3:17-cv-00159-MMD-CBC

**MOTION TO EXTEND THE DEADLINE
TO RESPOND TO PLAINTIFF'S
"REQUESTS FOR INTERROGATORIES
AND PRODUCTION OF DOCUMENTS
PURSUANT TO FED. R. CIV. P. 33 AND 34."**

16
17 Defendants, Dr. Romeo Aranas, Candis Brockway, and Jonathan Perry, by and through counsel,
18 Aaron D. Ford, Nevada Attorney General, and Robert W. DeLong, Deputy Attorney General, hereby
19 move to extend the deadline to respond to Plaintiff's Requests for Interrogatories and Production of
20 Documents Pursuant to Fed. R. Civ. P. 33 and 34.

21 This is an inmate civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff Kevin Gill
22 (Plaintiff) is an inmate in the custody of the Nevada Department of Corrections (NDOC).

23 Federal Rule of Civil Procedure 6(b)(1) governs enlargements of time and provides as follows:

24 When an act may or must be done within a specified time, the court may,
25 for good cause, extend the time: (A) with or without motion or notice if
26 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

27 The proper procedure, when additional time for any purpose is needed, is to present a request for
28 extension of time before the time fixed has expired. *Canup v. Miss. Val. Barge Line Co.*, 31 F.R.D. 282

1 (W.D. Pa. 1962). Extensions of time may always be asked for, and usually are granted on a showing of
2 good cause if timely made under subdivision (b)(1) of the Rule. *Creedon v. Taubman*, 8 F.R.D. 268
3 (N.D. Ohio 1947). The present deadline for Defendant Romeo Aranas to respond to "Plaintiff's
4 Requests for Interrogatories and Production of Documents Pursuant to Fed. R. Civ. P. 33 and 34" is
5 today, March 1, 2019.

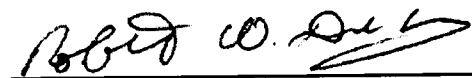
6 Defendants seek an enlargement of time to respond because Defendant Romeo Aranas is out of
7 the country on vacation until March 19, 2019. Defendants respectfully request that the deadline to
8 respond to Plaintiff's discovery be extended for 45 days. If granted, the new deadline to respond to the
9 discovery would be Friday, April 12, 2019.

10 Good cause exists to extend the time to file this motion. This request is made in good faith and
11 not for the purpose of delay. Defendants respectfully submit that none of the parties will be prejudiced
12 by the extension of time sought.

13 Dated March 1, 2019.

14
15 AARON D. FORD
16 Attorney General

17 By:



18 ROBERT W. DELONG
19 Deputy Attorney General
20 Bureau of Litigation
21 Public Safety Division

22 *Attorneys for Defendants*

23 IT IS SO ORDERED

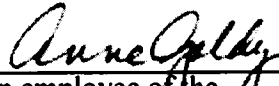
24 
25 U.S. MAGISTRATE JUDGE

26 DATED: 3/4/2019
27
28

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on March 1, 2019, I caused to be deposited for mailing, a true and correct copy of the foregoing, **MOTION TO EXTEND THE DEADLINE TO RESPOND TO PLAINTIFF'S "REQUESTS FOR INTERROGATORIES AND PRODUCTION OF DOCUMENTS PURSUANT TO FED. R. CIV. P. 33 AND 34,"** on the following:

Kevin Rohn Gill #89919
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070


An employee of the
Office of the Attorney General